

**MINUTES OF THE ZONING BOARD OF ADJUSTMENT
OF THE CITY OF GLENN HEIGHTS, TEXAS**

March 22, 2012

**STATE OF TEXAS
COUNTY OF DALLAS AND ELLIS
CITY OF GLENN HEIGHTS**

On the 22nd day of March 2012 the Zoning Board of Adjustment of the City of Glenn Heights, Texas convened in a meeting at Glenn Heights Economic Development Office at 129 W. Ovilla Road, Glenn Heights, Texas to consider the following items, with these members in attendance:

ZONING BOARD OF ADJUSTMENT:

David Leath	*	Board Member
Steven Smith	*	Board Member
Patricia Hatch	*	Board Member
Paul Johnson	*	Board Member

STAFF:

Othel Murphree	*	City Secretary
Surupa Sen	*	City Planner

Chairman Johnson called the meeting to order at 6:38 p.m.

INVOCATION: Board Member Paul Johnson gave the invocation.

AGENDA

1. Consider and approve the following minutes:
 - July 7, 2009
 - October 26, 2009
 - March 4, 2010
 - July 11, 2011
 - October 5, 2011

The following minutes were approved as stated below:

- October 26, 2009 – approved March 4, 2010
- March 4, 2010 – approved June 21, 2011
- July 11, 2011 – approved October 5, 2011

Board Member Leath moved to approve the July 7, 2009 minutes. Board Member Smith made the second. The motion carried with the following vote:

VOTE: 4 Ayes – Leath, Smith, Hatch and Johnson

Board Member Hatch moved to approve the October 5, 2011 minutes with two (2) corrections on page four (4). Board Member Leath made the second. The motion carried with the following vote:

VOTE: 4 Ayes – Leath, Smith, Hatch and Johnson

2. Workshop and Public Hearing to receive testimony relative to a request for variance from the City's Zoning Ordinance, Ordinance No. O-03-09, specifically from *Article XII.1.4 - Driveway* that does not allow front entry garages in residential buildings. The variance request is for a residential dwelling unit located at 203 Sunset Drive, in Hollywood Addition subdivision. The residence burned down and to re-build with the new Zoning Ordinance standards the front entry garage that previously was allowed is not allowed anymore. Applicant requested a variance to allow front entry garages for this lot. Lot size and width do not allow side or rear entry garage and all the other residences in this subdivision have front entry garages.

Chairman Johnson moved to open the workshop and public hearing. Board Member Leath made the second. The motion carried with the following vote:

VOTE: 4 Ayes – Leath, Smith, Hatch and Johnson

Chairman Johnson opened the workshop and public hearing at 6:57 p.m.

Surupa Sen, the City Planner introduced the item.

The City of Glenn Heights received an application for a variance to allow a front entry garage at 203 Sunset Drive, described as Lot 10, Block B of Hollywood Addition. Mr. Deron Shouppe was the contractor and applicant of the request, representing the property owner Mr. Ed Schneider. The property is zoned Single Family-3 Residential (SF-3). The original house was built in 2001. The City adopted Ordinance O-03-09 establishing new construction standards. The property at 203 Sunset Drive became legally non-conforming as the structure has a front entry garage and less than 100% masonry material as required under Ordinance O-03-09. The house was destroyed by fire and Mr. Schneider is trying to rebuild. This would be considered new construction because the legally non-conforming structure was damaged by more than forty percent (40%) of the total appraised value by the fire. The new structure must be constructed per the Ordinance O-03-09.

Ordinance O-03-09 Article XII.1.4 states "No garage shall open to the road frontage giving public view into the interior. Front-entry, J-lot garages must be side-loaded and

not swing-loaded (i.e. the garage entrance is located away from the front door of the home such that a vehicle entering the garage or parking in front of it does not pass/park in front of the front door, the garage door faces a side lot line rather than the front door of the residence)." As a result the new home is required to have a side entry. Most of the houses in the subdivision have front entry garages. Due to one hundred and thirteen feet (113') depth and seventy-five feet (75') frontage of the lot, building a side entry garage with the required driveway apron width is physically impossible. The applicant requested a waiver from the requirement of a side entry garage and requested a front entry garage.

The city's Development Review Committee reviewed the application and agreed that due to the unique site conditions a side entry garage cannot be built at the address.

There being no testimony Board member Leath moved to close to the public hearing. Board Member Smith made the second. The motion carried with the following vote:

VOTE: 4 Ayes – Leath, Smith, Hatch and Johnson

Chairman Johnson closed the public hearing at 7:02 p.m.

3. Consider approving Resolution ZBA-01-12 authorizing a variance from the City's Zoning Ordinance, Ordinance No. O-03-09, specifically from **Article XII.1.4 - Driveway** that does not allow front entry garages in residential buildings. The variance request is for a residential dwelling unit located at 203 Sunset Drive, in Hollywood Addition subdivision. The residence burned down and to re-build it with the new Zoning Ordinance standards the front entry garage that previously was allowed is not allowed anymore. Applicant is requesting a variance to allow front entry garages for this lot. Lot size and width do not allow side or rear entry garage and all the other residences in this subdivision have front entry garages.

Board Member Leath moved to approve Resolution ZBA-01-12 authorizing a variance from the City's Zoning Ordinance, Ordinance No. O-03-09, specifically from Article XII.1.4 - Driveway that does not allow front entry garages in residential buildings. The variance request is for a residential dwelling unit located at 203 Sunset Drive, in Hollywood Addition subdivision. The residence burned down and to re-build it with the new Zoning Ordinance standards the front entry garage that previously was allowed is not allowed anymore. Applicant is requesting a variance to allow front entry garages for this lot. Lot size and width do not allow side or rear entry garage and all the other residences in this subdivision have front entry garages. Board Member Smith made the second. The motion carried with the following vote:

VOTE: 4 Ayes – Leath, Smith, Hatch and Johnson

4. ADJOURNMENT.

Board Member Leath moved to adjourn. Chairman Johnson made the second. The motion carried with the following vote:

VOTE: 4 Ayes –Leath, Smith, Hatch and Johnson

Chairman Johnson adjourned the meeting at 7:05 p.m.


Paul Johnson, Chairman

ATTEST:


Othel Murphree, City Secretary

Passed and approved the 22nd day of August, 2012.